

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

REGINALD EDWARD SPEARMAN,  
  
Plaintiff,  
  
v.  
  
SAM BERRI TOWING, et al.,  
  
Defendants.

Case No.: 1:22-cv-0086 JLT SKO (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS TO DISMISS FOR A  
FAILURE TO PROSECUTE

(Doc. 17)

Reginald Edward Spearman is proceeding *pro se* and *in forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983. On April 26, 2022, the assigned magistrate judge found Plaintiff failed to prosecute the action and failed to keep the Court informed of his current mailing address as required by Local Rule 183(b). (Doc. 17.) Therefore, the magistrate judge recommended the action be dismissed without prejudice. (*Id.* at 3.)

Plaintiff was granted 14 days to file any objections to the Findings and Recommendations (Doc. 17 at 3), which were served at the last known address by the Court. On May 11, 2022, the Findings and Recommendations were returned by U.S. Postal Service marked “Undeliverable, Return to Sender, Not in Custody.” To date, Plaintiff has not filed a notice of change of address or taken any further action to prosecute the matter.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court conducted a *de novo* review of this case. Having carefully reviewed the file, the Court concludes the Findings

1 and Recommendations are supported by the record and proper analysis.

2 Accordingly, the Court **ORDERS**:

- 3 1. The Findings and Recommendations issued on April 26, 2022 (Doc. 17) are
- 4 adopted in full.
- 5 2. The action is **DISMISSED** without prejudice.
- 6 3. The Clerk of Court is directed to close this case.

7  
8 IT IS SO ORDERED.

9 Dated: May 19, 2022

  
UNITED STATES DISTRICT JUDGE